

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:09cr399-02
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	ORDER
TONYA HERRELL,)	
)	
)	
DEFENDANT.)	

This matter is before the Court upon Magistrate Judge Vecchiarelli's Report and Recommendation that the Court ACCEPT Defendant Tonya Herrell's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Doc. No. 70.)

On January 30, 2013, the government filed a Superseding Indictment against Defendant. (Doc. No. 51.) On May 29, 2013, this Court issued an order assigning this case to Magistrate Judge Vecchiarelli for the purpose of receiving Defendant's guilty plea. (Doc. No. 68.)

On June 3, 2013, a hearing was held in which Defendant entered a plea of guilty to Count 2 of the Indictment, charging her with conspiracy to commit mail fraud, in violation of Title 18 U.S.C. Section 349. Magistrate Judge Vecchiarelli received Defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this Court accept the plea and enter a finding of guilty. (Doc. No. 70.)

Neither party objected to the Magistrate Judge's R&R in the fourteen days

after it was issued.

Upon *de novo* review of the record, the Magistrate Judge's R&R is ADOPTED. Specifically, the Court finds as follows: that the defendant is competent to enter a plea, that she understands her constitutional rights, that she is aware of the consequences of entering a plea, and that there is an adequate factual basis for the plea. The Court further finds that the plea was entered knowingly, intelligently, and voluntarily. Accordingly, the Defendant's plea of guilty is APPROVED.

Therefore, the Defendant is adjudged guilty of Count 2 in violation of Title 18 U.S.C. Section 349. The sentencing will be held on September 4, 2013 at 11:30 AM.

IT IS SO ORDERED.

Dated: August 30, 2013



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE